

04-30-03

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PTO/SB/30 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

| | |
|-------------------------------|--------------------------|
| <i>Application Number</i> | 09/640,041 |
| <i>Filing Date</i> | August 15, 2000 |
| <i>First Named Inventor</i> | W. Michael Kavanaugh |
| <i>Group Art Unit</i> | 1644 |
| <i>Examiner Name</i> | Michail A. Belyavskyi |
| <i>Attorney Docket Number</i> | 59516-135 / PP-01615.002 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

| |
|--|
| 1. Submission required under 37 C.F.R. § 1.114 |
| <p>a. <input type="checkbox"/> Previously submitted</p> <p>i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).</p> <p>ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</p> <p>iii. <input type="checkbox"/> Other _____</p> <p>b. Enclosed</p> <p>i. <input checked="" type="checkbox"/> Amendment/Reply</p> <p>ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)</p> <p>iii. <input type="checkbox"/> Information Disclosure Statement (IDS)</p> <p>iv. <input type="checkbox"/> Other _____</p> |
| 2. Miscellaneous |
| <p>a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)</p> <p>b. <input type="checkbox"/> Other _____</p> |
| 3. Fees |
| <p>The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.</p> <p>a. <input type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No <u>04-0258</u>.</p> <p>i. <input type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)</p> <p>ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)</p> <p>iii. <input type="checkbox"/> Other _____</p> <p>b. <input checked="" type="checkbox"/> Check in the amount of \$ <u>750</u> enclosed</p> <p>c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)</p> |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|--------------------|-------------------|-----------------------------------|----------------|
| Name (Print /Type) | Jane E. R. Potter | Registration No. (Attorney/Agent) | 33,332 |
| Signature | | Date | April 28, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|--------------------|-----------------------|------|--|
| Name (Print /Type) | | | |
| Signature | SENT VIA EXPRESS MAIL | Date | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Commissioner for Patents, Box RCE, Washington, DC 20231.

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EXPRESS MAIL NO. EV321240512US

PTO/SB/17 (01-03)

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** **750**

Complete if Known

| | |
|----------------------|--------------------------|
| Application Number | 09/640,041 |
| Filing Date | August 15, 2000 |
| First Named Inventor | W. Michael Kavanaugh |
| Examiner Name | Michail A. Belyavskiy |
| Art Unit | 1644 |
| Attorney Docket No. | 59516-135 / PP-01615.002 |

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METHOD OF PAYMENT (check all that apply)

| | | | |
|---|--|--------------------------------------|-------------------------------|
| <input checked="" type="checkbox"/> Check | <input type="checkbox"/> Credit card | <input type="checkbox"/> Money Order | <input type="checkbox"/> None |
| <input type="checkbox"/> Deposit Account: | | | |
| Deposit Account Number 04-0258 | | | |
| Deposit Account Name Davis Wright Tremaine LLP | | | |
| The Commissioner is authorized to: (check all that apply) | | | |
| <input type="checkbox"/> | Charge fee(s) indicated below | <input checked="" type="checkbox"/> | Credit any overpayments |
| <input type="checkbox"/> | Charge any additional fee(s) during the pendency of this application | | |
| <input type="checkbox"/> | Charge fee(s) indicated below, except for the filing fee | | |
| <input checked="" type="checkbox"/> | Charge any deficiencies to the above-identified deposit account. | | |

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive – unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive – unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Petitions related to provisional applications | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | 750 |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

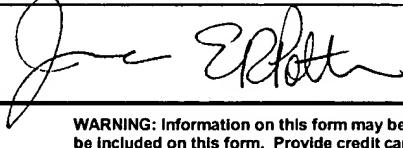
Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 750)

| FEE CALCULATION | | | | | |
|------------------------------------|----------|--------------|----------------|--|----------|
| 1. BASIC FILING FEE | | | | | |
| Large Entity | | Small Entity | | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
| 1001 | 750 | 2001 | 375 | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | (\$ 0) | |
| 2. EXTRA CLAIM FEES | | | | | |
| Total Claims | - 20** = | Extra Claims | Fee from below | Fee Paid | |
| Independent Claims | - 3** = | | | | |
| Multiple Dependent | | | | | |
| 3. SMALL ENTITY FEE PAYMENT | | | | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 | |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid | |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | (\$ 0) | |

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

| | | |
|---|---|---|
| Name (Print/Type) Jane E. R. Potter | Registration No. Attorney/Agent) 33,332 |  22504 |
| Signature  | Date April 28, 2003 | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.